IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R. RAMACHANDRAN NAIR

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

AS. No. 8 of 2003(B)

OS. 363/1996 of PRL. SUB COURT, IRINJALAKUDA
.....

APPELLANT/DEFENDANT:

*** KUNJU VAREETH, S/O. NEDUMPARAMBIL ANTHONY, PULLOOR VILLAGE, MUKUNDAPURAM TALUK. (DIED. ADDL. APPELLANT SUBSTITUTED).**

*** <u>ADDL. APPELLANT SUBSTITUTED IN PLACE OF APPELLANT</u>**

JOSE, AGED 55 YEARS, S/O. LATE KUNJU VAREETH, NEDUMPARAMBIL HOUSE, KOOTHUPARAMBU, IRINJALAKUDA NORTH.

(ADDL. APPELLANT IS SUBSTITUTED IN THE PLACE OF ORIGINAL APPELLANT WHO DIED ON 23.03.2007 VIDE ORDER DATED 04.06.2007 ON I.A. 1615/07).

BY ADV. SRI. GEORGE VARGHESE (MANACHIRACKEL)
SRI. FRANCO T.J.

RESPONDENT/PLAINTIFF:

SUBHRAMANIAN, S/O. NADUVILA PARAMBIL CHENNAN, PULLOOR VILLAGE, DESOM, MUKUNDAPURAM TALUK.

BY ADV. SRI. G. SREEKUMAR (CHELUR)

THIS APPEAL SUITS HAVING BEEN FINALLY HEARD ON 23/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

AS. No. 8/2003(B)

Order on C.M.P. No. 78/2003 in A.S. No. 8/2003
Order on I.A. No. 281/2003 in C.M.P. No. 78/2003 in A.S. No. 8/2003

Dismissed.

	Sd/-	Sd/-
	KURIAN JOSEPH	T.R. RAMACHANDRAN NAIR
23.07.2007	JUDGE	JUDGE

// True Copy //

P.A. to Judge.

smp

KURIAN JOSEPH & T.R. RAMACHANDRAN NAIR, JJ.

A.S. NO. 8 OF 2003

Dated this the 23rd day of July, 2007.

J U D G M E N T

Kurian Joseph, J.

In view of the compromise entered into between the parties as recorded in I.A. No. 2660/2007, the appeal is only to be disposed of in terms of the said compromise. Ordered accordingly. I.A. No. 2660/2007 will form part of the decree. The order in I.A. 281/2003 is vacated and the said application is dismissed. The appellant shall be entitled to refund of one-half of the court fee.

KURIAN JOSEPH
JUDGE

T.R. RAMACHANDRAN NAIR
JUDGE

smp